

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

TRACEY R. GODFREY,

Petitioner,

vs.

LEROY KIRKEGARD; ATTORNEY  
GENERAL OF THE STATE OF  
MONTANA,

Respondents.

Cause No. CV 14-190-M-DLC

ORDER DISMISSING PETITION  
AND DENYING CERTIFICATE OF  
APPEALABILITY

**FILED**

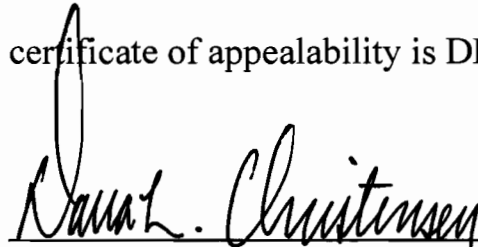
JUN 20 2014

Clerk, U.S. District Court  
District Of Montana  
Missoula

On January 27, 2014, Petitioner Tracey Godfrey filed this action under 28 U.S.C. § 2254. Godfrey, a state prisoner proceeding pro se, has already been advised that he may not file in this Court another habeas petition challenging his sentence for sexual assault unless and until he obtains leave from the Ninth Circuit Court of Appeals. Order (Doc. 7) at 2-3 & n.1, *Godfrey v. Kirkegard*, No. CV 14-164-M (D. Mont. judgment entered June 12, 2014).

Accordingly, IT IS HEREBY ORDERED that the Petition (Doc. 1) is DISMISSED for lack of jurisdiction. The Clerk of Court shall enter by separate document a judgment of dismissal. A certificate of appealability is DENIED.

DATED June 20<sup>th</sup>, 2014.



Dana L. Christensen, Chief Judge  
United States District Court